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ABSTRACT

Established in the early 1970s to respond to complaints about and from the media, the four press councils in Canada (the Alberta, Ontario, Quebec, and Windsor Press Councils) have been accepted, but not overwhelmingly so by either newspapers or the public. The success and acceptability of the councils seems to be related to the kinds of complaints brought before them; and for the most part, the complaints so far handled have been minor in nature. In addition to handling complaints, the councils also stress an interest in raising professional standards. As part of this effort, the Ontario Press Council has published three pamphlets that address important media questions. The fact that none of the reports reaches any definite conclusions suggests the complexity of the questions: this may indicate to the public that there are no simple answers to the problems facing the media. The groundwork for the press councils has been laid--only time will tell how successful they will become. (FL)

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FREEDOM OF INFORMATION CENTER REPORT NO. 402

PRESS COUNCILS IN CANADA

This report was written by David B. Reddick, an instructor at the School of Journalism, Michigan State University, and a doctoral candidate in American Studies there. This report is partially based on his master's thesis.

If the '60s was a time of turmoil in the United States, the same certainly can be said about Canada, but perhaps to a slightly lesser extent. Much of the public discontent was focused on the major institutions in society: government, organized religion and the mass media. Many people felt these institutions were no longer responsive to the needs of a changing society. They demanded accountability.

Those who criticized the mass media wanted to see it act more responsibly. Some people saw the creation of press councils as one way of making the media more accountable, and in the late 1960s the Mellett Fund for a Free and Responsible Press funded a series of community press council experiments around the United States.[1] At about the same time, the Senate in Canada announced its Special Senate Committee on the Mass Media. One of its recommendations called for the creation of a national press council.[2]

This report will describe the four press councils in Canada that came into existence in the early 1970s. Attention will be focused on how they have evolved and on whether they have been effective.

The Davey Committee

On March 18, 1969, the Senate of Canada announced the creation of the Special Senate Committee on Mass Media, also known as the Davey Committee.

Peter John Flemington, who has studied the reasons behind the committee, credits Sen. Keith Davey for its formation and says his reasons were twofold. He says the senator was partially motivated by an interest in the media that began in his childhood when he collected scrapbooks of newspaper headlines and developed later when he was a radio time salesman and public relations consultant.[3] The senator's family also enjoyed close ties with Joseph Atkinson, founder of the Toronto Star.[4]

The Canadian Senate, unlike its U.S. counterpart, is comprised of members appointed by the prime minister. Although, in theory, the Senate is an independent legislative body, it has become largely a rubber stamp for the legislation passed by the House of Commons, the elected body. As a result, Senate critics note that Senate appointments usually are made as a way of rewarding the party faithful. The Senate, therefore, tends to be dominated by older statesmen.

Flemington argues that partly as a result of this criticism, Davey, who became a senator at age 44, saw the special media committee as a way to change the Senate's image.[5]

The committee, which examined both print and broadcast media, was concerned with: (1) the increasing concentration of mass media ownership, (2) the Americanization of the mass media in Canada, and (3) the poor quality of a great deal of Canada's media output. The 15-member committee held public hearings from Dec. 9, 1969, to April 24, 1970. During that time, it received more than 500 briefs from interested citizens and heard oral presentations from 125 owners and representatives of various media enterprises. In addition, the committee made extensive use of existing records, collected statistical data and commissioned its own research and surveys of the Canadian public to investigate their opinions on mass media usage. The report has been estimated to have cost more than $600,000.

On the question of media concentration, the Davey Committee noted that 66.4 percent of Canada's 115 daily newspapers were owned or partially controlled by groups.[6] While pointing out that chain ownership had saved several daily newspapers from becoming weeklies or from going out of business, the Davey Committee concluded:

> What matters is the fact that control of the media is passing into fewer and fewer hands, and that the experts agree this trend is likely to continue and perhaps accelerate. . . . If the trend towards ownership concentration is allowed to continue unabated, sooner or later it must reach the point where it collides with the public interest. The Committee believes it to be in the national interest to ensure that that point is not reached.[7]

The committee recommended creation of a Press Ownership Review Board with power "to approve or disapprove mergers between, or acquisitions of newspapers and periodicals." To help fledgling publications, the committee also recommended a federal Publications Development Loan Fund.[8]

Summary: Established in the early 1970s, the four press councils in Canada have been accepted, but not overwhelmingly so by either newspapers or the public. While many of the complaints they have heard have been minor in nature, the councils have considered complaints against public institutions and governmental bodies, as well as the media.

CS 204 791

On the Americanization of the media, the committee noted that two U.S. magazines, **Time** and **Reader's Digest**, together shared 56 percent of the total advertising revenue spent in Canada on major consumer magazines. This was partially due to the section of the Canadian Income Tax Act that allowed Canadian businesses to deduct for advertising to these magazines. The committee recommended the exemption be removed.[9] (The federal government has since removed the exemption and, as a result, **Time** has ceased its Canadian edition).

The committee's principal standard for judging the quality of the Canadian press was how successfully a newspaper, or broadcasting station, was preparing its audience for social change. The committee found the lack of editorial excellence and high quality programming in most Canadian media a particularly disturbing fact, given the high profits of the industry.[10] The senators felt one way to improve the media was to establish press councils, and this suggestion brought several comments from the newspaper executives who appeared before the committee. Some, like Michael Sifton, president of Armadale Company Limited (publishers of the Regina **Leader-Post** and Saskatoon **Star Phoenix**), saw press councils as an erosion of press freedom and responsibility:

> I personally feel that the main thing that is involved here is the substitution of a press council — it is tantamount to the substitution of direct access to the people who are responsible. That I find undesirable. That is substitution for responsibility.[11]

Others felt press councils were unnecessary because the public already had ample access for complaint to newspaper publishers. This view was expressed by St. Clair McCabe, executive president and managing director of Thomson Newspapers, who remarked:

> Look, I have been involved all my life in the smaller newspaper cities. The publishers of our newspapers have an open door literally, and there is a telephone, and they are available to their subscribers at any time, and believe me — they hear from them.[12]

Those newspaper executives who favored press councils tended to see them as a way for newspapers to handle some complaints from the public and to protect the newspaper industry from possible government interference.

St. Clair Balfour, president and director of Southam Press Limited, perhaps best expressed this view when he said:

> Generally I think that a press council would serve a useful purpose. I think a court of appeal would take the head off newspapers. I think in rare circumstances it might have to deal with a complaint and issue censure. Generally speaking, I think it would justify the position taken by the individual newspapers. I also think it has a second major value and that is in the defence of the freedom of the press against the Government at all levels.[13]

Not all the publishers who appeared before the Davey Committee either favored or opposed press councils. Many wanted more time and more press council examples before passing judgment. Such a view can be interpreted from the statements of Ralph Costello, president and publisher of the Saint John **Telegraph-Journal**, who observed:

> What is my personal objection? I do not have a personal one. I think perhaps my greatest objection at this moment is that I do not think it would work. I think it is difficult enough to publish a newspaper and I think the responsibility of publishing that newspaper rests with the publisher. I think he should stand on what goes into the newspaper and stand behind it. Again, this may not stand up six months or a year or five years from now. I may feel very strongly that we should have a press council, but this is my feeling at the moment.[14]

Having collected its briefs, the Davey Committee spent the summer and fall of 1970 digesting the material. In December, it released the results of its 22-month inquiry in a three-volume report. Among the committee's recommendations was one calling for the creation of a national press council. The committee said:

> We think many of the problems of the press that this report documents could be alleviated by the existence of a watchdog organization that would monitor the press the way the press monitors society. Public confidence in the press is declining; a press council could help arrest this trend. The media's tendency toward monopoly threatens to restrict the public's access to diverse and antagonistic sources of information; a press council could meet this threat by helping to ensure that media monopolies don't act as though they own the news. Finally, a press council could help to foster a sense of professionalism, and help to develop a set of standards, in an occupation that badly needs them. Even if a press council did nothing whatever, we'd still like to see one set up; because the very act of setting one up would force journalists and publishers, for the first time, to come together on an organized basis to think about what they're doing, how well they're doing it, and why.[15]

The Davey Committee said the first step in creating a national press council should come from the Canadian Daily Newspaper Publishers Association. At the CDNPA meeting in May 1971, the question of press councils was discussed and a number of opinions were offered.

A.R. Williams, publisher of the Winnipeg **Tribune**, said publishers knew they were doing a good job but the public was still to be convinced. "If we establish a press council we can persuade them (the public) that we are not as bad as they think," Williams said. James L. Cooper, publisher of the **Globe and Mail** in Toronto, argued that the press council idea had failed in Great Britain and the failure of a press council in Canada would open the door to government interference:

> We can all improve. The best press council in the world is for each publisher to try to give the other guy's point of view and admit it when he is wrong. That is far better than publishers sitting in judgment of one another.[16]

The publishers formed a committee to study the question of press councils and report back. At the 1972 CDNPA meeting, the committee decided that while it did not oppose the principle of press councils, it was against a national press council because the idea was both "impractical and unworkable at this time."[17]

The question of press councils was also discussed at Media '71, the first-ever national assembly of journalists, held in Ottawa. Although few resolutions were passed by the 330 journalists in attendance, resolutions passed at the conference's six workshops were read into the record. Two dealt with press councils:

> Resolved that a national convention of management and workers in news media be held within a year to form a press council and a national association of media participants, and, if not included in either of the above, to establish means to lobby against all forms of censorship, legal and non-legal.
>
> Be it resolved that regional press associations be encouraged across Canada as grass-roots instruments to study the problems of working journalists and to make recommendations to be considered by a national press council or association.[18]

The newspaper executives and journalists who had expressed an interest in press councils prior to the Davey Committee or became interested in them during the committee hearings did continue in their efforts to establish press councils.

The Alberta Press Council

Much of the credit for the formation of the Alberta Press Council in 1972 goes to R. Ross Munro, who was then publisher of the Edmonton **Journal**. But Munro, also a director of Southam Press Limited, did not seem totally convinced of the need for a press council when he appeared before the Davey Committee:

> I would not be unhappy about a Western Press Council. It could wear a hair shirt for us all and we would take our lumps if and when we deserved them. There is a lingering question on how practical it would be. Would the public be any better protected and would they get better newspapers?[19]

Munro told the committee he thought "the people in our business have to do an awful lot more talking about it (press councils). They only started to talk about this thing within the past year or year and a half to any degree."[20] Alberta publishers, however, did hold discussions on creating a press council in 1971 and took final steps to establish one in the spring of 1972. An official announcement of the council's formation and composition, along with a statement of its aims and procedures, was published on May 19, 1972.[21]

Five of the province's eight daily newspapers belong to the council. They include the Edmonton **Journal**, Calgary **Herald**, Grande Prairie **Herald-Tribune**, Red Deer **Advocate** and Medicine Hat **News**. The Fort McMurray **Today**, a daily newspaper started in October 1974, has expressed an interest in joining the press council. The Calgary **Albertan** and Lethbridge **Herald**, both owned by F.P. Publications Limited, the largest newspaper chain in Canada, do not belong.

Cleo Mowers, publisher of the Lethbridge **Herald**, has publicly stated his displeasure with press councils. He says that implicit in their movement is the assumption that the press is doing the best job it knows how, and to do even better it ought to be subject to an independent tribunal that would adjudicate the public's grievances. He opposes that system:

> Newspapers must cope as best they can with public dissatisfaction. They must listen to all complaints against themselves, and correct those that appear to be justified and firmly and patiently reject the others. That is all that can be done. To set up a Press Council to deal with those not previously and otherwise resolved is to promise more than can be delivered.[22]

The publishers of the member newspapers chose a public member from their communities and an individual from their newspapers to serve on the council. The chairman was chosen from a list of names discussed by the publishers of the Edmonton **Journal** and Calgary **Herald**.[23]

The original professional members included three editors, a reporter and an advertising manager. The public members included a retired banker, a rancher, a retired chief city commissioner, the chairman of the board of a community college, and the president of the Alberta Federation of Labor.

The first chairman, C.C. McLaurin, was a retired chief justice of the Alberta Supreme Court Trial Division and former chancellor of the University of Calgary. Parker Kent, the council's first executive secretary, was a retired associate editor of the Calgary **Herald**.

The press council held its first organizational meeting in Calgary on June 7, 1972, and was ready to hear complaints on Sept. 1, 1972.[24]

Much of the council's work since then has been taken up in procedural matters. The council has had three different chairmen and executive secretaries since 1972. The newest chairman is J.J. Saucier, a Calgary lawyer. Gerald Brawn of Calgary is the new executive secretary.[25]

To date, the press council has adjudicated 10 cases, three involving the mayor of Calgary. Even before the press council became operational, it received a complaint about Mayor Rod Sykes of Calgary. The complaint actually came from members of the Calgary City Council who were upset over an apparent discrepancy between a Calgary **Herald** article of June 14, 1972, quoting the mayor and a memo the mayor sent the city's aldermen the following day.

The newspaper had quoted the mayor as being critical of all the council members for not carrying out their civic responsibilities. The mayor's memo differed from the newspaper article in that it criticized only some aldermen, not all of them. Unable to get the mayor to release the names of the unfaithful aldermen, the city council passed a motion asking the press council for a "clear public report."

The press council, with the **Herald**'s representative abstaining, agreed unanimously that in all circumstances the paper had been responsible in reporting the issues.[26]

Mayor Sykes next complained to the press council about theater advertisements and an editor's note on theater advertising standards that appeared in the Calgary **Herald** on Dec. 15, 1972. The press council found that the newspaper misled the public in its editor's note setting forth its advertising standards while, in the same issue, it printed two theater advertisements containing obscene phrases. The press council decision said:

> Every reader of contemporary newspapers must be impressed with the unparallelled volume of advertising and should be cautioned that caveat emptor, let the buyer beware, still has legal application. "Puffing" must be accepted, but sanctions prevail for fraudulent advertisements. Then

> there are advertisements which offend good taste and may even be obscene.[27]

The third complaint involving Mayor Sykes was also against the Calgary **Herald** and concerned an article which quoted him as being opposed to a plan to "twin" the city of Calgary with the city of Jaipur, India, under a program sponsored by the local branch of the World City Society.

The press council, in dismissing the complaint, noted that the editor-in-chief of the **Herald** had invited the mayor to issue a statement in response to the article, but the mayor had declined. Under the terms of reference of the press council, persons filing complaints must first demonstrate that they have failed to get redress for the grievance from the newspaper involved.[28]

In 1977, the press council responded to two cases dealing with freedom of access to information. The first followed a complaint from the Alberta Legislative Press Gallery Association against the speaker of the Alberta Legislature for denying the news media access to the members' lounge. The council viewed the speaker's action with regret and urged him to reconsider the matter. No change in the ruling resulted, but a telephone call to the president of the press gallery association revealed that access to members of the government and of the Legislative Assembly seemed reasonably adequate at the moment and no further action by the gallery was contemplated.[29]

The Edmonton **Journal** also complained of a proposal by the general faculties council of the University of Alberta to close its executive committee meetings to the media. The press council said the meetings should be open and so informed the university president. At present, the meetings continue to be open, but a committee member may move at the opening of the meeting to have any specific agenda item discussed in camera.[30]

The Ontario Press Council

In 1968, an Ontario Royal Commission inquiry into civil rights under Chief Justice McRuer officially recommended the establishment of a press council in the province. The recommendation, in a section of the report dealing with the publication of crime stories, read:

> A self-governing council should be established in Ontario to control and discipline the press and other news media with respect to the publication of news and comment that may tend to prejudice the fair trial of an accused should a charge later be laid, unless it is shown that publication is in the public interest.[31]

Beland H. Honderich, president and publisher of the Toronto **Star**, the largest newspaper in Canada, was the first publisher to take up on the inquiry recommendation. He told a Western Ontario Newspaper Awards banquet in April 1968 that a press council, patterned after the British model, should be established and not solely to hear complaints about crime news. Honderich outlined what he thought press councils should be:

> I suggest that a press council consisting of newspapermen and representatives of the public could do much to clarify misunderstanding. . . and also act as a public watchdog in guarding against infringements on legitimate press freedom. . . In my experience, the greatest threat to freedom of the press in Canada comes from within and not without. We are not always as diligent as we should be in searching out the significant news and reporting it to the public. The second object of an Ontario press council would be to maintain the character of the press in accordance with the highest professional and commercial standards.[32]

Honderich's speech attracted a lot of attention from newspaper publishers, but meetings proved inconclusive. However, Honderich and others kept urging fellow publishers in private talks to join in the project. Finally, a meeting was called by Honderich in late 1971, and it was decided to go ahead with the press council. Honderich says R.W. Southam, publisher of the Ottawa **Citizen**, "must get much of the credit" since "he felt we should proceed even though we could not interest a majority of the papers."[33]

By June 1972, eight Ontario dailies had agreed to become council members. They included the Toronto **Star**, Ottawa **Citizen**, Hamilton **Spectator**, Brantford **Expositor**, Kitchener-Waterloo **Record**, London **Free Press**, Owen Sound **Sun-Times** and Windsor **Star**.

A constitution patterned after the British Press Council was adopted, and the 10 professional council members were appointed. They included two each of publishers (Honderich and Southam), editors, departmental editors, reporters and ad executives.

Davidson Dunton, former chairman of the Canadian Broadcasting Corporation and former president of Carleton University in Ottawa, became the council chairman. Fraser MacDougall, former Ottawa bureau chief for Canadian Press, became the full-time executive secretary.

By mid-August 1972, the press council had opened an office in Ottawa, and the chairman and 10 professional members were selecting the 10 public members from a long list of nominees. They included a woman lawyer, a woman member of the provincial human rights commission, a member of the provincial education commission, a county warden, a housewife, an international union representative, a retired minister, the former Canadian General Electric chairman, a professional engineer and a steelworkers union president.

In September 1972, the entire press council held an organizational session and appointed a five-member inquiry committee, comprised of three public and two professional members, to study complaints from the public and make recommendations to the full council. At its first meeting in mid-November, the inquiry committee studied 23 complaints, of which two were sent on to the full council, which met for the first time on Dec. 15, 1972.[34]

By the end of 1978, the press council had received 517 complaints and had adjudicated 63 of them. The other complaints were either satisfied by the newspaper, abandoned or withdrawn by the complainant, or, in seven cases, disallowed by the council. The adjudications can be classified into four broad categories: access, advertising (content), news stories and miscellaneous complaints.[35]

Of the 20 adjudications that have dealt with access, seven have involved discrimination by newspapers in not accepting certain advertisements. The press council reached an almost identical conclusion in five of these complaints:

> A publisher has the right to determine the acceptability for publication of any advertisement, and decisions may be based on many different considerations. In this case the Council feels there was

> discrimination in the refusal to publish a simple advertisement for a (memorial society, gay periodical, religious organization, gay bookstore and homeowners group).[36]

These decisions prompted the council's General Purposes Committee to conduct a study of discrimination in advertising. Member newspapers were asked to provide an outline of their advertising acceptability standards and practices, including those covering opinions and ideas as well as goods and services. Interviews with other advertising executives were also conducted.

In 1976, the committee released a report that contained seven conclusions and made the following general statement:

> The committee agreed that the right of the publisher to determine acceptability of advertising is basic to a free press, although exercise of this right might conflict with fair access for would-be advertisers.[37]

As for complaints about news stories, the press council has consistently dismissed complaints suggesting biased, inaccurate, irresponsible or false stories. However, the council has upheld complaints of misleading or unfair coverage, as in the case of a Toronto area man who complained the Toronto **Star** had been unfair in not adequately covering his trial and acquittal on fraud charges after having written several front-page stories at the time of his arrest.[38]

The press council has also published three pamphlets dealing with newspaper practices. The first came as the result of a letter the council received in 1972 complaining that the present newspaper practice of naming persons charged with lesser offenses was both unnecessary and harmful.

The press council agreed the issue raised by the letter writer was larger than any single case and could not be handled like an ordinary complaint. A three-member subcommittee was chosen to poll each of the member newspapers, representatives of the legal profession and organizations that work with offenders. The subcommittee found a great diversity of opinion on the use of names in reporting court proceedings and decided to present the arguments both for and against published names in a 30-page pamphlet, **To Name or Not to Name?**, published in September 1974.[39]

A column written by Helen Worthington of the Toronto **Star** on Jan. 26, 1976, prompted the council's second pamphlet. Worthington wrote that if women were fed up with the overused female put-downs and were sick of seeing the use of cheesecake to sell newspapers, they should complain to the press council. The council received 94 letters as a result of the column, and it decided to set up a committee to look into these concerns.

The committee examined member newspapers for examples of sexism and found many examples of women being treated as sex symbols or given degrading images in advertisements.

The committee was given authority to expand its work to look at the "ghettoizing" of women's news and the roles women play in the communications industry. A 26-page pamphlet entitled **Sexism and the Newspapers** was prepared in July 1978.[40]

The report found that too much of the news about women was still being relegated to special women's sections. The report also noted that while women represented about one-third of the work force on the member newspapers, they held only 11 percent of the decision-making roles. One committee member, commenting on the committee's findings, said:

> All these journalistic practices underline the fact that the people who run the newspapers still view men as the norm and the average reader as male. . . . Obviously this kind of thinking would not creep into print if there were more women in editorial swivel chairs. . . . The press has an obligation to reflect the actual status of women and to cast off pre-liberation attitudes. Publishers, editors and journalists: PLEASE look at what women are really doing today. Break that rear-view mirror.[41]

The council's latest pamphlet, **Press Ethics and Freebies,**[42] also came about as the result of a journalist who formally complained about the unfairness of a travel story that appeared in the Hamilton **Spectator.**

Gerald McAuliffe, who once worked for the newspaper, said he objected to the story because it failed to point out that most of the cost of the around-the-world trip was paid for by agencies with a vested interest in the story; that various costs, like hotel rates and airline tickets, were left out of the story; and that the treatment afforded the travel writer was far superior to that given an ordinary traveler.

The press council ruled that, considering the story as a whole and its special nature, it could not uphold the complaint of unfairness. However, the council agreed that McAuliffe had raised an important ethical question, and the issue deserved a public examination.

As a result, the council held a public forum in Toronto on Feb. 2, 1978, on the issue of complimentary services and gifts. The next day the council issued the following statement:

> . . . We believe it important that the press not only have integrity, but also that its integrity appear to be beyond danger of taint. We believe that firm policies in this area will support the professional pride of news people and organizations, and their standing with the public. It is, therefore, our view that all newspapers and news organizations should have firm general policies that they pay all costs of gathering news and other material for publication, and are opposed to accepting complimentary services or gifts.[43]

Since its formation, the press council has also made some procedural changes, including opening its meetings to the public and holding meetings in various cities around Ontario.

Seven more newspapers have also joined the press council. They include the Sault Ste. Marie **Star**, a daily; the Stittsville **News**, Alliston **Herald**, Orangeville **Citizen**, Shelburne **Free Press and Economist** and Port Elgin **Reporter**, all weeklies.[44]

The Quebec Press Council

Although the Quebec Press Council did not officially begin until March 13, 1973, talk of a press council among Quebec media had been going on for nearly 16 years.[45] In fact, David Waters, one of the first journalist members on the council, says the Quebec Press Council was really Canada's first press council because the agreement between the various Quebec newspapers and professional journalist

organizations, who make up the council, was first signed on Feb. 1, 1971.

As Waters notes, however, the council's protracted mise-en-scene was due in part to a strike at **La Presse** in Montreal that preoccupied journalists and news media executives who had been negotiating the selection of a president for the press council.[46] Waters also notes:

> The social dynamics of Quebec precluded an exclusively owner-appointed council such as those in Ontario or Alberta or even one along the lines of the British model — though such council patterns would have been easier and quicker to set up.[47]

The press council sees as its primary task the protection and reinforcement of the right of the public (individuals, corporations, associations, private and public institutions) to know or to obtain from the media true and complete information concerning events, facts and institutions that are of public interest. The council also sees as a major concern the safeguarding of the freedom of the press and the opposition of any abuses against the press.[48]

The Quebec Press Council differs from the other provincial press councils in at least four organizational aspects. Like the Finland Press Council, the press council includes the broadcast media within its jurisdiction. Membership for both newspapers and broadcast outlets is on a voluntary basis.

The press council has 19 members, six of whom are chosen from among the management of newspaper, radio and television enterprises. These people belong to the following organizations: Les Quotidiens due Quebec Inc., Les Hebdos du Canada Inc., L'Association Candienne des Radiodiffuseurs et Telediffuseurs Langue Francaise Inc., and Radio-Canada.

Six journalists are chosen from la Federation Professionelle des Journalistes du Quebec. Seven members, including the council president, come from various groups representing the public.

Unlike the other Canadian press councils where the publishers decided on the council chairman, the Quebec council president must be a joint decision made unanimously by the owners and journalists. The press council's first full-time president was Jean-Marie Martin, former chairman of the social science department at Laval University in Montreal. Jean Baillargeon is the full-time secretary.

The president's position is somewhat more powerful than that of his other Canadian counterparts, in that the Quebec Press Council constitution allows him to select the six public council members. The president, therefore, could have simply nominated his choices and submitted their names for either approval or rejection. Martin chose, however, to work with a mixed committee of journalists and owners in selecting the initial public members.[49]

Waters says the selection of the public members is really a cornerstone to the council's success:

> Ideally, the council's moral impact will come not primarily from the moral acceptance it receives from the media, but from the moral and financial support the public gives it. That is a fundamental and not simply a nuanced distinction. Its success in this regard will depend to a very considerable extent on the quality, contribution and representativity of its public members. In selecting them, an attempt was made to ensure that they were as representative as possible of geographical regions, social backgrounds and local involvements.[50]

The other unique organizational aspect of the press council is the way it is financed. Unlike the other Canadian press councils that rely on the generosity of member newspapers, the Quebec Press Council decided not to depend upon the noblesse oblige of either the media owners or journalists.

During 1974, a six-member Foundation for the Quebec Press Council was set up to find financial assistance for the press council. The foundation has its own charter from the Quebec government and is a corporation distinct and independent of the press council. It is also recognized as a charitable organization by the federal and provincial governments.[51]

The press council holds an annual general assembly at its headquarters in Quebec City at least 70 days after its financial year ends in March. The meeting is open to the public and requires a quorum of 10 people, including at least two members from each of the three member groups.

The regular business of the press council is handled by the Counseil d' Administration, which comprises the entire council. The full council is then divided into two sub-committees: the comite permanent du programme (permanent program committee) and the comite permanent des case (permanent cases committee). The program committee has nine members (three from each group) and decides on the council's work. This can include everything from setting up a research program to acting as a liaison organ of the council with the governments, federal institutions and semi-federal institutions on matters regarding the press. The cases committee is in charge of complaints.[52]

While much of the early work of the Quebec Press Council has involved organizational matters, the council assigned a special council committee to draft a set of guiding principles or ethical rules for the press, and the council is issuing professional identity cards to journalists. The committee has decided that rather than publish a code of ethics, it will issue from time to time declarations of ethical principles.[53]

Council secretary Baillargeon says the identity cards were instituted to help standardize press cards throughout the province and to avoid the problem some journalists have faced of being denied access to meetings because their cards were not recognized.[54] This became a serious problem during the diplomat kidnappings in 1970, when several journalists were jailed.[55]

Baillargeon says competence is not a condition of the identity cards, but the card can be revoked if the holder ceases to be a journalist, if the card is used for any undue reasons or if it is loaned to someone other than the journalist to whom it is assigned. So far, the council has issued more than 900 cards out of a possibility of 1,500, which represents the journalistic population in Quebec.[56]

In addition to having processed more than 170 complaints since its formation, the press council has issued statements in keeping with its concern to guard the principles of freedom of the press.

For instance, in December 1973, the press council issued a statement objecting to the proposed sale of **Le Soleil**, a Quebec City daily, to a newspaper group headed by Paul Desmarais of Montreal. The council said the sale posed "both a conflict of interest and a threat to the balance of power necessary to the existence and normal functioning of a democratic society."[57]

On Dec. 22, 1977, the council issued a statement saying it was disturbed by the newspaper strikes at **Le Soleil** and at **La Presse** and **Le Matin**, which are both published in Montreal.

The council told the parties involved that the public was suffering from being deprived of important sources of information and of different points of view. It appealed to the parties to strive for agreements that would "re-establish services vital for the quality of democratic life."[58]

Earlier that year, the council expressed its concern with provisions of a bill dealing with access to and publicity about juvenile court hearings. The council admitted that in certain circumstances the public should be excluded from juvenile court hearings, but it argued that only very rarely should the press not be able to be present, since it has a duty to inform the public on matters of public interest.

There was argument with the need to protect the identity of minors in many cases, but the council argued that the public interest and the identity of the accused minor in most cases would be best protected if the press were admitted, even when the court had decided to exclude the public.[59]

The Windsor Media Council

The Herman and Graybiel families who ran the Windsor **Star** for many years saw that it was always printed on the best quality newsprint available. The newspaper had a reputation in the community for being fair and honest. And, for years, it was considered an excellent training ground for journeyman journalists.

The Davey Committee recognized some of these attributes when it said of the Windsor **Star**:

> Some newspapers dig. Some newspapers are a constant embarassment to the powerful. Some manage to be entertaining, provocative, and fair at the same time. There are few such newspapers in Canada. The Vancouver **Sun**. The three Toronto dailies, **Le Devior**. The Montreal **Star**. The Windsor **Star**. **La Presse**. The Edmonton **Journal**. A handful of others. There should be more.[60]

It was this kind of tradition that Mark Farrell inherited when he became publisher of the Windsor **Star** in January 1969. Farrell, who had an extensive newspaper career in Montreal, began a study into the feasibility of setting up a community press council. Other media were contacted, but none expressed an interest at the time in wanting to be part of a press council. Farrell says he has always been a believer in press councils because "its mere existence makes any publisher, if not more responsible, more careful."[61]

The publisher had originally hoped to establish the press council before the Davey Committee made its recommendation, but labor disputes at the **Star** delayed its appearance until September 1971. On Sept. 27, the **Star** ran a front-page story announcing formation of the Windsor Press Council and also ran a full page of press council member biographies.

The press council was originally comprised of 17 members: an independent chairman (a county judge), five **Star** representatives and 11 public members. The public members included a law professor, high school student, insurance saleswoman, engineer, lawyer, plant manager, store manager, a doctor, a union president and two housewives. The **Star** representatives included (Windsor **Star**, 9-27-71) Farrell, the editor, managing editor, city editor and a reporter.

Much of the council's work has been taken up in procedural matters. For example, in 1974 the council enacted a new constitution and a memorandum of procedures. The constitution lists nine objectives, which are similar to those adopted by the British Press Council. At the same time, the council approved a change in membership, reducing the number of **Star** representatives to two and adding an additional public member. The council has also opened up its meetings to the public.[62]

In 1978, invitations were again sent to other media in Windsor asking if they wanted to participate in the press council. On Jan. 1, 1979, radio station CKWW officially joined the council, which is now known as the Windsor Media Council. The constitution was revised again so complaints can now be heard against the broadcast media, and each of the media is now represented by a single member.[63]

To date, the Windsor Media Council has handed down seven adjudications. Probably the most controversial was the third one, which was decided on Sept. 27, 1973, and involved the refusal of the **Star** to accept a classified advertisement from Windsor Gay Unity for a homosexual dance. The press council ruled that while the publisher of a newspaper has the right to decide the acceptability of advertisements, in this particular incident there was unfair discrimination in the refusal to publish a simple advertisement for a social event.

J. Patrick O'Callaghan, Farrell's successor, said (Windsor **Star**, 9-27-73) of the decision:

> While I respect the decision of the Press Council, I can't accept that it is discriminatory to exercise judgment in a taste or propriety sense on any material that appears in the editorial and advertising columns of the **Star**. I am glad the Press Council made it clear in its ruling that it recognizes the right of a newspaper to decide what it shall and shall not print. We have no intention of lowering our standards on good taste.

Jim Davies, one of the Windsor Gay Unity members who lodged the complaint, said (Windsor **Star**, 9-27-73) of the decision:

> Since Mr. O'Callaghan has not changed his mind after the ruling, the lesson that can be learned is that such rulings are meaningless under the present power structure. As a result, an important medium such as the **Star** reflects not the need and desire of all aspects of the community, but rather the prejudices and interests of one group of men, such as the controllers of the **Star**.

In 1974, the **Star** filed a complaint against Hotel Dieu of St. Joseph Hospital for holding board meetings in camera. After a hearing on Dec. 17, 1974, the press council determined that the media generally should have the right to be present at meetings of the hospital board.[64]

Council secretary J. Douglas Lawson says the council feels that it ought to continue in existence even though it has not been particularly burdened with cases, because "the mere existence of Council is somewhat of a deterrent to the media when making publication or broadcasting decisions." He adds:

> In particular I can think of a recent instance where the Windsor **Star** agonized over a decision to delete **Weekend Magazine** supplement from its Saturday publication. The deletion was made as a result of one particular article in the magazine dealing with

> the subject of the development of striptease in Canada. Apparently, it was not the topic that was so controversial but the manner in which the article was written. While I am somewhat surprised that the Media Council did not get a complaint with respect to the deletion, I suspect the careful manner in which the Windsor **Star** handled the deletion (including reporting the deletion before it had in fact occurred, reprinting the contents of **Weekend Magazine** in other parts of the Windsor **Star** and carrying thoughtful editorials as to the reason for the deletion) contributed to the fact that no complaint was received.[65]

Other Press Councils?

Besides the press councils already in existence, there has been some talk of starting others in at least three other provinces.

For example, an 11-member provincial task force report on social development in New Brunswick recommended in 1971 the establishment of a press council in that province. The report criticized the "little continuity of reporting or interpretative comment" made by the province's dailies while the task force was holding hearings throughout the province.

The report said that too often the media dismissed important social policies with a news story and perhaps an editorial comment. There was too little reporting in depth to provide the public with an informed basis on which it could make opinions and judgments, the report added.

It said a press council should be composed of representatives of media owners, the working press and the public. It emphasized (Toronto **Globe and Mail**, 9-28-71) that government involvement should be "kept at a minimum."

In Saskatchewan, Attorney-General Roy Romanow suggested in 1972 that press councils be organized in that province. His suggestion came shortly after the federal election that year and was aimed principally at his hometown newspaper, the Saskatoon **Star-Phoenix**, for its handling of stories involving the final location of a Romanian-financed tractor plant in the province.

A story about the attorney-general's concern reported (Toronto **Globe and Mail**, 11-25-72) that he saw legislation being drafted before the 1973 fall session establishing press councils, although he was not sure how strong the legislation would be or what would happen if media owners did not participate in the councils.

In British Columbia, at least two politicians have recommended that a press council be established there. In 1973, Victoria Mayor Peter Pollen urged that a press council be formed to protect the public from the possible detrimental effects of an "inordinate concentration of newspapers in large corporations in B.C." The mayor said three of the four daily newspapers in Victoria and Vancouver, the province's largest cities, were owned by the F.P. Publications chain.

The mayor agreed press coverage had been accurate and fair in Victoria, but the growing concentration of media control in large corporations made it necessary to take certain measures to assure continuation of responsible and adequate news coverage.

"As I see it (the press council) would be a self-governing, self-monitoring body, similar to those in the medical and legal professions," the mayor said (Toronto **Globe and Mail**, 1-24-73).

The mayor's suggestion was subsequently picked up by the province's attorney-general, Alex MacDonald, who urged in February 1974 that the media establish a voluntary press council.[66]

At present, press councils have not yet been established in New Brunswick, Saskatchewan or British Columbia.

Conclusion

This report supports the observation that the four press councils in Canada have been accepted but not overwhelmingly so by either newspapers or the public.

The F.P. Publications and Thomson newspapers have remained steadfast in their opposition to the press councils. Since they make up a sizable portion of Canada's daily newspapers, it is unlikely the press councils will greatly expand their memberships. However, the Ontario Press Council and Windsor Media Council have added new members since their formation.

This lack of support among newspapers is in keeping with observations that have been made about the initial lack of interest in the British Press Council[67] and the U.S. National News Council.[68]

Public acceptance of the Canadian press councils has not been overwhelming either, judging by the number of complaints the councils have received. Only the Ontario and Quebec press councils have shown a steady increase in complaints. As for the Alberta Press Council and Windsor Media Council, their annual number of complaints has decreased. This can be interpreted two ways: First, fewer complaints may mean that the public is satisfied with the newspapers and complaints are not necessary or that the public still lacks knowledge about the press councils and their purpose. Another reason may be that the procedure for filing a complaint has been cumbersome, although all the councils have made revisions in their constitutions to correct this problem.

The success and acceptance of any press council seems closely correlated with the kinds of complaints that are brought before it. For the most part, the complaints so far handled by the four Canadian press councils have been largely minor in nature.

Some of the complaints concern an insensitivity on the part of some newspapers in dealing with certain segments of society. The Alberta Press Council has been used by at least one politician as a springboard for personal attacks against a newspaper.

In addition to taking complaints from the public, the press councils have heard complaints from the press against the public and governmental institutions. The Quebec Press Council has probably been the most active in this area.

The constitutions of the four press councils also stress an interest in wanting to raise professional standards. So far, the Ontario and Quebec press councils have been most active in this regard.

The three pamphlets published by the Ontario Press Council address important media questions. The fact that none of the reports reaches any definite conclusions indicates the complexity of these questions: This may also help the public to understand that there are no simple answers to the problems the media face each day.

It appears the groundwork for these press councils has been laid. Only time will tell how successful they will become.

FOOTNOTES

1. For a detailed analysis of these press council experiments, see William L. Rivers, et al., **Backtalk: Press Councils in America** (San Francisco: Canfield Press, 1972).
2. Report of the Special Senate Committee on Mass Media, Vol. 1, **The Uncertain Mirror** (Ottawa: Queen's Printer, 1970), p. 111.
3. Peter John Flemington, "The Davey Committee as Raindance: Symbolic Aspects of the Special Senate Committee on Mass Media (Canada, 1970)" (master's thesis, University of Pennsylvania, 1971), p. 26.
4. Senator Davey's father was production manager of the Toronto **Star** and is known to have consulted Atkinson about his son's education. See Alexander Ross, "Three Months With Coach Davey," **Content**, December-January 1971, p. 13.
5. Flemington, p. 30.
6. T.C. Seacrest, "The Davey Report: Main Findings and Recommendations," in **Communications in Canadian Society**, ed. Benjamin D. Singer (Toronto: Copp Clark Publishing Company, 1972), pp. 162-70.
7. **The Uncertain Mirror**, p. 6.
8. Seacrest, pp. 162-70.
9. **Ibid.**
10. **Ibid.**
11. **Proceedings of the Special Senate Committee on Mass Media**, Vol. 3 (Ottawa: Queen's Printer, 1969), 11 December 1969, p. 61.
12. **Ibid.**, Vol. 7, 18 December 1969, p. 43.
13. **Ibid.**, Vol. 13, 27 January 1970, p. 40.
14. **Ibid.**, Vol. 5, 16 December 1969, p. 43.
15. **The Uncertain Mirror**, p. 111.
16. "Canadians Reject Press Review Board," **Editor and Publisher**, 8 May 1971, p. 21.
17. "National Press Council Vetoed By Canadians," **Editor and Publisher**, 29 April 1972, p. 50B.
18. "Be It Resolved," **Content**, May 1971, p. 20.
19. **Proceedings of the Special Senate Committee on Mass Media**, Vol. 13, 27 January 1970, p. 39.
20. **Ibid.**
21. The Alberta Press Council, press release, January 1973. (Mimeographed.)
22. Cleo Mowers, "Press Councils, In Spite of Sen. Davey, Are No Answer," **Canada Month** 12 (1972): 7.
23. Parker Kent, personal letter, 2 April 1975.
24. **Ibid.**
25. "Alberta Press Council," in **Fifth Annual Report**, 1977, Ontario Press Council, pp. 36-37.
26. Kent, letter.
27. **Ibid.**
28. **Ibid.**
29. "Alberta Press Council," pp. 36-37.
30. **Ibid.**
31. Fraser MacDougall, personal letter, 4 February 1974.
32. Beland H. Honderich, "We Need A Press Council," in **Politics: Canada**, third edition, ed. Paul W. Fox (Toronto: McGraw-Hill Company of Canada Ltd., 1970), pp. 186-92.
33. "Background," Ontario Press Council, press release, 14 March 1973. (Mimeographed.)
34. **Ibid.**
35. "Alberta Press Council," pp. 3-5.
36. Ontario Press Council, **Fourth Annual Report, 1976**, p. 24.
37. **Ibid.**, p. 26.
38. **Ibid.**, p. 15.
39. Ontario Press Council, **To Name or Not to Name?**, September 1974.
40. Ontario Press Council, **Sexism and the Newspapers**, July 1978.
41. **Ibid.**, pp. 3-4.
42. Ontario Press Council, **Press Ethics and Freebies**, October 1978.
43. **Ibid.**, p. 52.
44. **Fourth Annual Report, 1976**, p. 42.
45. David Waters, "Quebec Creates Canada's First Press Council," **Content**, February 1971, p. 13.
46. David Waters, "Toward A Responsible Media," **Content**, July 1973, p. 8.
47. **Ibid.**
48. Quebec Press Council pamphlet, issued in 1974.
49. Waters, "Toward A Responsible Media," p. 8.
50. **Ibid.**
51. **Ibid.**
52. Jean Baillargeon, personal interview at Sheraton-Mount Royal Hotel, Montreal, Quebec, Canada, 18 April 1975.
53. Jean Baillargeon, personal letter, 23 February 1979.
54. Baillargeon, interview.
55. See Gerald S. Alperstein, "Some Reactions by the Montreal News Media to the October 1970 Canadian Crisis" (master's thesis, Syracuse University, 1972).
56. Baillargeon, letter.
57. "Press Council Wants Media Sales Regulated," **Editor and Publisher**, 22 December 1973, p. 40.
58. "Alberta Press Council," p. 35.
59. **Ibid.**
60. **The Uncertain Mirror**, p. 85.
61. Mark Farrell, personal letter, 21 January 1974.
62. Ontario Press Council, **Second Annual Report, 1974**, pp. 20-21.
63. J. Douglas Lawson, personal letter, 15 February 1979.
64. Stuart Laird, "Other Press Councils," Ontario Press Council, press release received 17 April 1975. (Mimeographed.)
65. Lawson, letter.
66. Nick Russell, "A Press Council for B.C.," **British Columbia Library Quarterly** 37 (Winter 1974): 6-17.
67. See Donald E. Brown, "British Journalists Change Their Attitudes Toward Reorganized Press Council," **Editor and Publisher**, 17 April 1971, p. 22; or Paul B. Snider, "The British Press Council: A Study of Its Role and Performance, 1953-1965" (Ph.D. dissertation, University of Iowa, 1968).
68. Ralph L. Lowenstein, **National News Council Appraised**, Freedom of Information Center Report 0015 (Columbia, Mo.: University of Missouri School of Journalism, December 1974).